



## Mars Khaimov Law, PLLC

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November 14, 2022

### BY ECF

Honorable Judge Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Sq  
New York, New York 10007

**MEMO ENDORSED**

**Re: Toro v. California Seashell Company, Inc.; Case No 1:22-cv-7039-KPF**

To the Honorable Judge Failla:

Plaintiff submits this status letter in response to Your Honor's directives in the Order issued on August 30, 2022 (Dkt. No. 5). Defendant, who is currently pro se, just reached out to Plaintiff via email on November 11, 2022. Defendant's time to respond expires on November 15, 2022. As such, on behalf of Defendant, Plaintiff respectfully request that the initial pretrial conference currently scheduled for November 17, 2022 be adjourned to December 16, 2022, or a date more convenient to the Court. If Defendant fails to respond to the Complaint leading up to the new conference date, Plaintiff asks that it be granted leave to pursue a default judgment by December 13, 2022.

Plaintiff thanks the Court for its attention in this matter.

Respectfully submitted,

/s/ Mars Khaimov, Esq.

Application GRANTED. The initial pretrial conference currently scheduled for November 17, 2022, is hereby ADJOURNED to **December 22, 2022, at 10:30 a.m.** The parties are reminded that they are to adhere to the Court's instructions in the Notice of Initial Pretrial Conference (Dkt. #5) in advance of the conference.

Should Defendant desire an extension of time to respond to the Complaint, Defendant should file a letter motion as soon as possible. In the event Defendant fails to respond, Plaintiff may file a motion for default judgment on or before **December 13, 2022.**

SO ORDERED.

Dated: November 14, 2022  
New York, New York

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE